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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/791,906	03/04/2004	Kazutaka Tasaka	65326-032	4470
7590	11/24/2006		EXAMINER	
McDermott, Will & Emery 600 13th Street, N.W. Washington, DC 20005-3096			PHAM, HAI CHI	
			ART UNIT	PAPER NUMBER
			2861	

DATE MAILED: 11/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/791,906	TASAKA, KAZUTAKA	
	Examiner	Art Unit	
	Hai C. Pham	2861	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 08 September 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-28 and 30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 28 is/are allowed.
- 6) Claim(s) 1-27 and 30 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ . | 6) <input type="checkbox"/> Other: _____ . |

FINAL REJECTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1, 11-13 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mitsuka et al. (US 4,687,944) in view of Edamitsu et al. (US 6,729,239).

With regard to claims 1 and 18, Mitsuka et al. discloses a method and apparatus for controlling magnification variation during the recording of an image by irradiating a printing plate with a light beam (the recording method/apparatus being applied to different technical fields including recording on a photosensitive material or printing plate) (col. 1, lines 32-40), the apparatus comprising a holding drum (drum 25) for holding a printing plate (photosensitive material 26 or a printing plate when applied to the printing plate making field), a light emission part for irradiating said printing plate with a light beam to perform writing (the recording head 24 including a light source, not shown, whose exposing light beam is controlled by the exposing light control means 23), a rotation mechanism (motor 31) for scanning an irradiation position of said light beam on said printing plate in a main scan direction by rotating said holding drum relatively to said light emission part (the drum 25 being rotated by the motor 31 such

that the light beam exposes the photosensitive material 26 in the circumferential main scanning direction), a moving mechanism (motor 28) for scanning said irradiation position in a sub-scan direction by moving said light emission part relatively to said holding drum along a direction parallel to a rotation axis of said holding drum (the recording head 24 is driven by the sub-scanning feeding screw 27 and motor 28), a storage part (memory means 21) for storing data of an original image (the memory means 21 stores the image of the original document as captured by the CCD 1), an operation part (magnification converter 20) for generating data of a modified image obtained by substantially modifying width of said original image in said sub-scan direction (the scanning pitch of the reproduced image in the sub-scanning direction corresponds to the size of the picture element of the reproduced image according the magnification), and a control part (exposing light control means 23) for controlling emission of said light beam according to said data of said modified image (col. 5, line 60 to col. 6, line 25).

With regard to claim 11, Mitsuka et al. further teaches a printing mechanism (recording head 24) for performing printing with said printing plate on which an image is recorded by said light emission part.

Mitsuka et al. fails to teach the control of the emission of the light beam to the data of the modified image while shifting writing timing in the main scan direction by changing a cycle of a writing clock.

Edamitsu et al. discloses a method and apparatus for recording an image by irradiating a printing plate with a light beam, the apparatus comprising a holding drum

for holding a printing plate (the first plate cylinder 1 holding the printing plate on its external surface) (Fig. 8), a light emission part for irradiating said printing plate with a light beam to perform writing (the image recording part 13 including a laser light source 54 emitting a laser light beam for recording), and an exposure control circuit (59) for correcting the image recording position in the main scanning direction (col. 10, line 39 to col. 11, line 2), wherein the change of the magnification in the main scanning direction is performed by varying the cycle of the dot clock signal for ON/OFF controlling the laser light source (col. 15, lines 47-54) (col. 18, lines 43-62).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to provide the device of Mitsuka et al. with the control the emission of the laser light source by varying the cycle of the dot clock signal based on the change of the magnification in the main scanning direction as taught by Edamitsu et al. for the purpose of aligning the successive scan lines.

With regard to claim 13, Mitsuka et al. further teaches the printing mechanism performing multicolor printing (col. 4, lines 6-13).

3. Claims 2, 14 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mitsuka et al. in view of Edamitsu et al., as applied to claims 1 above, and further in view of Kato et al. (U.S. 4,686,580).

Mitsuka et al., as modified by Edamitsu et al., discloses all the basic limitations of the claimed invention except for the operation part modifying the width of the original image in the sub-scan direction by deleting or adding pixels.

Kato et al. teaches a method and apparatus for changing the size of an original image in both the main and sub-scanning directions wherein one pixel is added or subtracted from each of the divisional images in the proper direction and thus change the width of the image in the main scanning direction and the length of the image in the sub-scanning direction (col. 3, lines 1-31). It is also noted that the "one pixel being added or subtracted" in the sub-scanning direction is part of the successive pixels forming the scanning line being inserted/deleted from a group of scanning lines (col. 4, line 40 to col. 5, line 5). Kato et al. also teaches the number of pixels in each of said plurality of modification unit pixel groups is half to twice a value obtained by dividing the number of pixels in said pixel group by the number of said pixels to be deleted or added (col. 10, lines 17-55).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the device of Mitsuka et al. by adding or subtracting a pixel in the sub-scanning direction for changing the length of the original image as taught by Kato et al. The motivation for doing so would have been to enlarge or reduce the size of the original image without introducing artifacts while providing a simple implementation for image magnification.

4. Claims 3-4 and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mitsuka et al. in view of Edamitsu et al. and Kato et al., as applied to claims 2 and 19 above, and further in view of Nakahara (U.S. 5,001,575).

Mitsuka et al., as modified by Edamitsu et al. and Kato et al., discloses all the basic limitations of the claimed invention including dividing a pixel group constituted of pixels aligned in said sub-scan direction into a plurality of modification unit pixel groups as many as pixels to be deleted or added and determining a position of one pixel to be deleted or added from/to each of said plurality of modification unit pixel groups (Kato et al., col. 3, lines 1-11 and lines 62-68), and wherein the number of pixels in each of said plurality of modification unit pixel groups is half to twice a value obtained by dividing the number of pixels in said pixel group by the number of said pixels to be deleted or added (Kato et al., col. 10, lines 17-55), but except for using a random number for determining the position of the pixel to be added or deleted.

Nakahara discloses an apparatus and method for reproducing an original image with a different size by adding or skipping a pixel dot to or from each predetermined region in accordance with the selected magnification and by using a random number such that interfering streaks are eliminated (col. 3, lines 39-52).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the device of Mitsuka et al. by determining the position of the pixel to be added or deleted based on a random number as taught by Nakahara for the purpose of reproducing the magnified image while eliminating the interfering streaks as suggested by Nakahara.

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5. Claims 2, 5, 19, 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mitsuka et al. in view of Edamitsu et al., as applied to claims 1 and 18 above, and further in view of Hosokawa et al. (U.S. 6,290,327).

Mitsuka et al., as modified by Edamitsu et al., discloses all the basic limitations of the claimed invention except for the operation part modifying the width of the original image in the sub-scan direction by deleting or adding pixels, said storage part stores positions of pixels to be deleted or added in said original image and processing instruction data substantially indicating distortion of said original image in said modified image, and said operation part generates data of said modified image on the basis of said processing instruction data.

Hosokawa et al. discloses an image forming apparatus and method for varying an elongation rate of an original image to form a deformed image at least in the length direction of the image, wherein a number of dot lines are added based on the elongation rate as well as the position of each dot line to be duplicated, which are stored in advance in the elongation pattern storage means or ROM (220) (col. 15, line 28 to col. 16, line 54).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the device of Mitsuka et al. by adding a pixel in the sub-scanning direction for changing the length of the original image as well as by indicating how many times each pixel has to be duplicated as taught by Hosokawa et al. The motivation for doing so would have been to enlarge the size of the original image based on varying rate of magnification.

6. Claims 6-7, 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mitsuka et al. in view of Edamitsu et al. and Hosokawa et al., as applied to claims 5 and 22 above, and further in view of Hidemitsu (Pub. No. U.S. 2003/0136286).

Mitsuka et al., as modified by Edamitsu et al. and Hosokawa et al., discloses all the basic limitations of the claimed invention except for the insertion of a blank to one end of the sub-scan direction of the image space, the plural light emitting beams aligned in the sub-scanning direction wherein the insertion of the blank data is performed while continuously moving irradiation positions of the plural light emitting beams in the sub-scanning direction, and recording of an image onto said printing plate is started on the basis of some data before said operation part generates the whole data of said modified image.

Hidemitsu discloses an image recording method and apparatus, which comprises a laser light source (128) whose light beam is divided into a plurality of light beams aligned in the sub-scanning direction for exposing the printing plate (102) (paragraph [0078]), the light beams continuous exposing the printing plate wherein some data (e.g., a number of blank raster lines) is carried out at the start of the scanning such that a full-color image is obtained with different color images overlapping with each other (paragraph [0130]).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the device of Mitsuka et al. to include a plurality of light emitting beams for forming a full color image and to allow an appropriate blank

data to be carried out at the start of the scanning as taught by Hidemitsu for the purpose of aligning the different color images.

7. Claims 8 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mitsuka et al. in view of Edamitsu et al., as applied to claims 1 and 11 above, and further in view of Yoshida (U.S. 6,018,618).

Mitsuka et al., as modified by Edamitsu et al., discloses all the basic limitations of the claimed invention except for the recording of an image onto said printing plate is started on the basis of some data before said operation part generates the whole data of said modified image.

Yoshida discloses an image recording apparatus and method for transferring a received image onto a recording paper by allowing some data (e.g., a certain blank space or leading end margin that corresponds to the size of the recording medium) to be carried out being starting to record the image (Fig. 4).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the device of Mitsuka et al. to allow some data such as the blank space at the top end of the printing medium to be performed before the recording of the image as taught by Yoshida for the purpose of properly centering the image area onto the recording medium.

8. Claims 9-10, 16-17 and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mitsuka et al. in view of Edamitsu et al., as applied to claims 1, 11, 18 above, and further in view of Schaefer (U.S. 4,174,527).

Mitsuka et al., as modified by Edamitsu et al., discloses all the basic limitations of the claimed invention except for the shifting of writing timing in said main scan direction by said control part being based on the printing result of a test pattern, and an image pickup part for performing an image pickup of the test pattern to acquire said printing result.

Schaefer discloses a method for locally precisely setting the start and end of image recording in the main scanning direction by forming a test pattern or mark (160) on the scanning cylinder (1) and by using an image pickup or scanning device (15) to scan the mark to output a pulse signal, which along with the generation of the signal from the impulse generator (49) while scanning another mark (53) at the other end of the scanning cylinder, determines the start of scanning of the medium (12) (col. 3, lines 19-65).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to set the start of scanning in the device of Mitsuka et al. based on the printing and subsequently reading of a test pattern as taught by Schaefer to locally and precisely adjust the start of scanning of the medium in the main scanning direction.

9. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kato et al. in view of Yoshida.

Kato et al. discloses an image modification method of modifying width of an image in a predetermined direction (e.g., sub-scanning direction), comprising the step of deleting or adding pixels in the sub-scanning direction while aligning pixels of the image before modification from one end to the other end (a line of pixels is added/deleted in accordance with the magnification in the sub-scanning direction while one pixel is added/deleted for every n pixels in the main scanning direction [col. 5, lines 15-46 and col. 7, line 66 to col. 8, line 2] such that the pixels are kept aligned in the sub-scanning direction).

Kato et al. fails to teach inserting a blank to one end of said predetermined direction in an image space where a modified image is generated.

Yoshida discloses an image recording apparatus and method for transferring a received image onto a recording paper by allowing some data (e.g., a certain blank space or leading end margin that corresponds to the size of the recording medium) to be carried out being starting to record the image (Fig. 4).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the device of Kato et al. to allow some data such as the blank space at the top end of the printing medium to be performed before the recording of the image as taught by Yoshida for the purpose of properly centering the image area onto the recording medium.

Allowable Subject Matter

10. Claim 28 is allowed.
11. The following is an examiner's statement of reasons for allowance: the prior art of record does not teach or suggest the image modification method of modifying the width of an image in a predetermined direction, which comprises the step of dividing a pixel group constituted of pixels aligned in a predetermined direction into a plurality of modification unit pixel groups as many as pixels to be deleted or added, said pixel group being not divided at regular intervals, determining a position of one pixel to be deleted or added from/to each of said plurality of modification unit pixel groups on the basis of a random number, and modifying said pixel group by deleting or adding said one pixel from/to a position determined in each of said plurality of modification unit pixel groups, wherein the number of pixels in each of said plurality of modification unit pixel groups is half to twice a value obtained by dividing the number of pixels in said pixel group by the number of pixels to be added or deleted.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

12. Applicant's arguments with respect to claims 1-27 have been considered but are moot in view of the new grounds of rejection.

13. Applicant's arguments filed 09/08/06, with regard to claim 30, have been fully considered but they are not persuasive.

Applicant argued that neither Kato nor Yoshida "does not teach or suggest the more complex procedure of "aligning pixels of an image"". The examiner respectfully disagrees. Kato teaches the modification of the image being performed by adding/deleting a line of pixels in accordance with the magnification in the sub-scanning direction while adding/deleting one pixel for every n pixels in the main scanning direction such that the pixels are kept aligned in the sub-scanning direction (col. 5, lines 15-46 and col. 7, line 66 to col. 8, line 2).

Conclusion

14. Applicant's amendment, which changed the scope of the base claims, necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai C. Pham whose telephone number is (571) 272-2260. The examiner can normally be reached on M-F 8:30AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



HAI PHAM
PRIMARY EXAMINER

November 17, 2006